Case 2:09-cr-00449-RLH-GWF Document 40 Filed 01/31/11 Page 1 of 2 FILED RECEIVED ENTERED SERVED ON COUNSEL/PARTIES OF RECORD JAN 3 1 2011 2 3 **CLERK US DISTRICT COURT** DISTRICT OF NEVADA 4 DEPUTY BY: 5 6 UNITED STATES DISTRICT COURT 7 DISTRICT OF NEVADA 8 UNITED STATES OF AMERICA. 9 Plaintiff, 10 2:09-CR-449-RLH (GWF) v. 11 ROBERT JOSEPH ZWIERZYCKI, 12 Defendant. 13 FINAL ORDER OF FORFEITURE 14 On October 14, 2010 (Docket #33), the United States District Court for the District of Nevada 15 entered a Preliminary Order of Forfeiture pursuant to Fed. R. Crim. P. 32.2(b)(1) and (2), Title 18, 16 United States Code, Section 2253(a)(1) and 2253(a)(3), based upon the plea of guilty by defendant 17 ROBERT JOSEPH ZWIERZYCKI to criminal offense, forfeiting specific property alleged in the 18 Criminal Indictment and shown by the United States to have a requisite nexus to the offense to which 19 defendant ROBERT JOSEPH ZWIERZYCKI pled guilty. 20 This Court finds the United States of America published the notice of the forfeiture in

This Court finds the United States of America published the notice of the forfeiture in accordance with the law via the official government internet forfeiture site, www.forfeiture.gov, consecutively from October 16, 2010 through November 14, 2010, notifying all known third parties of their right to petition the Court. #35.

This Court finds no petition was filed herein by or on behalf of any person or entity and the time for filing such petitions and claims has expired.

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This Court finds no petitions are pending with regard to the assets named herein and the time for presenting such petitions has expired.

THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that all right, title, and interest in the property hereinafter described is condemned, forfeited, and vested in the United States of America pursuant to Fed. R. Crim. P. 32.2(b)(4)(A) and (B); Fed. R. Crim. P. 32.2(c)(2); Title 18, United States Code, Section 2253(a)(1) and 2253(a)(3); and Title 21, United States Code, Section 853(n)(7) and shall be disposed of according to law:

- a) any book, magazine, periodical, film, videotape, or other matter which contains any such visual depiction, which was produced, transported, mailed, shipped, or received; computer images, including movie and still image files, depicting a minor engaging in sexually explicit conduct and the diskettes and hard drives on which they are maintained;
- b) Computer Tower, serial number CM33C20023391;
- c) External Hard Drive, serial number WCA8U0634295;
- d) Blue iPod, serial number JQ523DAC543;
- e) Black and Silver iPod, serial number 1A904HX2201;
- f) Silver cell phone, serial number 07605388274; and
- g) Hard drive, no serial number ("property").

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that any and all forfeited funds, including but not limited to, currency, currency equivalents, certificates of deposit, as well as any income derived as a result of the United States of America's management of any property forfeited herein, and the proceeds from the sale of any forfeited property shall be disposed of according to law.

The Clerk is hereby directed to send copies of this Order to all counsel of record and three certified copies to the United States Attorney's Office.

| DATED this _ | <u> 37</u> | _day of 🤳 | annary | <u>, 2011.</u> | | |
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